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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,858	08/08/2001	Lee R. Dischert	MATP-608US	2945
23122	7590	11/28/2005	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			NATNAEL, PAULOS M	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/924,858

Applicant(s)

DISCHERT ET AL.

Examiner

Paulos M. Natnael

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 15 and 16 is/are allowed.
- 6) ☒ Claim(s) 12 and 13 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **12-13** are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Naif, U.S. Pat. 5,982,363.

Considering claim **12**, Naif discloses a personal computer-based set-top converter for television services wherein "A peripheral device is provided for a personal computer enabling the PC to provide the functions of a set-top box for television reception.

Communication of television and control signals between the television and PC can be provided over the cable wiring already provided in the subscriber premises.

Alternatively, wireless communication can be provided between the television and the PC. The invention obviates the need for a set-top box and the associated expense thereof. The television operations take place in the multitasking environment of the PC, so that the PC can be concurrently used for other applications.(see abstract) Naif teaches a remote control that sends IR commands to the interface 24 which translates the command received and sends a signal to the computer vial 14 or other wire communication, the computer receives and process digital television signals received

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through cable feed 10 or 16 based on the request transmitted from the Interface 24.

Finally, the television video may be displayed on the TV 22 or the computer display. In that regard, Naif explains that "...the user interface module contains a transceiver that is responsive to control signals (e.g., infrared signals) from a user's remote control 26. For example, a user may select a particular channel for viewing by entering the channel number on the remote control. The remote control sends an appropriate IR signal to user interface module 24 which decodes the IR signal and forwards a corresponding electrical signal back to PC 20 via lines 18, 14 and 16. The television interface peripheral card or external peripheral device (referred to hereinafter as the "television interface") associated with PC 20 decodes the electrical signal forwarded by user interface module 24. In response to the decoded user request, the television interface circuitry associated with PC 20 will tune to the requested channel, process it as necessary and provide the processed signal in the proper format for output to a user's television via lines 16, 14, 18, user interface module 24 and line 30. The user's television 22 processes this signal in a conventional manner to provide a television service to the user. The operation of the user interface 24, 26 is described in greater detail below in connection with FIGS. 5 and 6. (see col. 5, lines 66 to col. 6, lines 18).

Thus, Naif meets the claim as claimed.

Regarding claim 13, the claimed prioritizing the control request signal with input signals received by the computer is inherent, because one of the things computers can do well,

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obviously when programmed to do so, is prioritizing the data processing, transmission, and even reception of data from outside source, etc.

Allowable Subject Matter

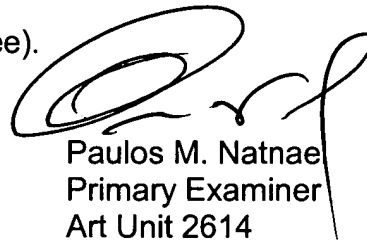
3. Claims **1-11 and 15,16** are allowable over the prior art.
4. Claim **14** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 10:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paulos M. Natnae
Primary Examiner
Art Unit 2614

PMN
November 22, 2005